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**Not for service*

January 27, 2026

BY ECF

Hon. Vera M. Scanlon
Chief United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East,
Brooklyn, New York 11201

Re: Bernadeau v. City of New York, et al., 25-cv-483 (NRM)(VMS)

Your Honor:

I am co-counsel for Plaintiff in this matter. I write jointly with opposing counsel in response to the Court's January 24, 2026 Scheduling Order in this matter setting a telephonic conference for tomorrow at 3:00pm or February 4, 2026 at 2:15pm, in which Plaintiff Vanky Bernadeau is to participate, in order to ask that the Court adjourn the conference.

Mr. Bernadeau will require a Haitian Creole interpreter in order to prepare for and participate in the conference. Given that the scheduling order came down on the weekend, and in light of the recent snowstorm, it will not be possible to arrange for a qualified interpreter to be available for tomorrow.

Additionally, Mr. Bernadeau is scheduled to work both tomorrow at 3:00pm and on February 4, 2026 at 2:15pm. He would need to take the full day off in order to participate on either date.

That said, while Mr. Bernadeau will not be available, counsel for all parties could participate in a telephonic conference either tomorrow at 3:00pm or on February 4, 2026 at 2:15pm.

Past that, the parties are still in the process of attempting to resolve Plaintiff's claim for attorney's fees, costs, and expenses without the need for intervention from the Court. We estimate it will take up to around one month for us to either resolve that claim or reach an impasse with respect to it.

Opposing counsel will be unavailable February 4, 2026, February 9, 2026, and February 11, 2026 due to scheduled Court conferences, and February 19, 2026 through March 1, 2026 due to previously scheduled leave.

I have reached out to Mr. Bernadeau to learn when he will either not be working, or when he will be able to take time off work, in the coming weeks, but, as of 1:00pm on January 27, 2026, I have not yet heard back from Mr. Bernadeau.

Thank you for your attention to this matter.

Respectfully submitted,

/S/

Gideon Orion Oliver